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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,487	07/06/2001	Jeffrey P. Bezos	AMAZON.070A	4183

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Knobbe Martens Olson & Bear LLP  
2040 Main Street  
Fourteenth Floor  
Irvine, CA 92614

EXAMINER
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THEIN, MARIA TERESA T

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 07/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/900,487

Applicant(s)

BEZOS ET AL.

Examiner

Marissa Thein

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12,27-30,32-39 and 43-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12,27-30,32-39 and 43-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicants' submission filed on May 2, 2003 has been entered.

### ***Response to Amendment***

Applicants' "Amendment" filed on May 2, 2003 has been considered with the following effect.

Applicants' have canceled claims 13-26, 31, 40, 41 and have added new claims 45-49. Examiner notes that Applicants did not mention claim 45 as an added new claim, however, Examiner has considered the new claim 45. Applicants have amended claims 1, 27-30, 32. Claims 1-11, 27-30, 32-39, and 43-50 remain pending and an action on the merits of these claims follows.

### ***Response to Arguments***

Applicants' arguments with respect to claims 1-12, 27-30, 32-39, 43-46 have been considered but are moot in view of the new ground(s) of rejection.

Applicants remark that "Burton does not disclose or suggest presenting to a user context-dependent order history information that is selected based on the product or products currently being viewed by user within a catalog. In addition, Burton does not

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disclose or suggest displaying such information without requiring the user to request order history information; rather in the system of Burton, the user apparently must select an "order history" link or generate a report, to view order history information".

The Examiner notes that Burton does disclose "presenting to a user context-dependent order history information that is selected based on the product or products currently being viewed by the user within a catalog". In Figure 39, Burton discloses an illustrative display 2400 which shows user information about order history and receives user indication. In the display area 2028, Burton discloses an interactive features "Please choose from your list of locations, then press Next". The user chooses the location ACME (the dark boxed item), as the user presses Next an order history pertaining to ACME is presented. Furthermore in paragraph 371, a location information 2014 may include zero, one or a plurality of locations. The location information may be specific to a user and selected based on user supplied criteria or complied using any suitable method (paragraph 371). A user may select a desired location from the displayed location information through an interactive feature (paragraph 371). The interactive features may receive user indications about the order-related information (paragraph 371). Such displaying of orders history and response to a request are considered presenting to a user context dependent order history. The remarks pertaining to "Burton does not disclose or suggest displaying such information without requiring the user to request order history information; rather in the system of Burton, the user apparently must select an "order history" link or generate a report, to view order history information", the Examiner draws the Applicants' attention to the Office Action below.

The Applicants remark that "Burton does not disclose or suggest supplementing a requested product detail page with information about the related, prior order or orders, as required by some of the claims."

The Examiner notes that "Burton does disclose or suggest supplementing a requested product detail page with information about the related, prior order or order". In Figure 39, Burton discloses an illustrative display 2400 which shows user information about order history and receives user indication. In the display area 2028, Burton discloses an interactive features "Please choose from your list of locations, then press Next". The user chooses the location ACME (the dark boxed item), as the user presses Next an order history pertaining to ACME is presented. Furthermore in paragraph 371, a location information 2014 may include zero, one or a plurality of locations. The location information may be specific to a user and selected based on user supplied criteria or complied using any suitable method (paragraph 371). A user may select a desired location from the displayed location information through an interactive feature (paragraph 371). The interactive features may receive user indications about the order-related information (paragraph 371). Such displaying of orders and response to a request are considered supplemental product detail page with information related to prior order.

Applicants remark that "Burton fails to accomplish one of the important objectives of Applicants' system namely that of assisting users in avoiding redundant or otherwise undesirable purchases of the product.

The Examiner draws the Applicants' attention to the Office Action below.

Applicants remarks to Burton does not disclose the following combination limitations: "receiving a request from an online customer for a portion for the electronic catalog, wherein the portion corresponds to a subset of products represented within the electronic catalog and provides functionality for selecting a product for purchase; identifying a related order previously placed by the customer, and said related order being related to the subset of products; and supplementing the portion of the electronic catalog with information about the related order".

The Examiner notes that Burton does disclose the combination limitation as disclosed above. In paragraph 133, Burton discloses order sites which present the supplier catalog where an order can. The order sites present supplier information, catalog information, and order-related content to users, and receive user selections regarding the presented information, assemble orders, and transmit orders and related information to order server. Such order sites are considered the portion of electronic catalog which corresponds to a subset of products. Burton further discloses identifying a related order and supplementing the portion. In Figure 39, Burton discloses an illustrative display 2400 which shows user information about order history and receives user indication. In the display area 2028, Burton discloses an interactive features "Please choose from your list of locations, then press Next". The user chooses the location ACME (the dark boxed item), as the user presses Next an order history pertaining to ACME is presented. Furthermore in paragraph 371, a location information 2014 may include zero, one or a plurality of locations. The location information may be specific to a user and selected based on user supplied criteria or compiled using any

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suitable method (paragraph 371). A user may select a desired location from the displayed location information through an interactive feature (paragraph 371). The interactive features may receive user indications about the order-related information (paragraph 371). Such displaying of orders and response to a request are considered the identifying a related order and supplementing the portion.

Applicant remarks that Burton does not disclose “a server system that is responsive to a request from a customer for a page from the electronic catalog.....”

The Examiner draws the Applicants' attention to the Office Action below.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 32-37 and 42-44 are rejected under 35 U.S.C. 102(b) as being anticipated by 2002/005878 to Burton.** Burton discloses a computer-implemented method of providing account-specific information to users of an online store comprising: providing online access to an electronic catalog of products in which users may navigate to product detail pages that display detailed information about specific products and provide controls for selecting such products for purchase; maintaining user-specific order histories representing orders placed by users for products in the

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electronic catalog; and when a user accesses a product detail page of a first product that was previously supplementing the product page with at least indication that the user previously ordered the first product. Furthermore, Burton discloses the method wherein supplementing the product detail page comprises displaying information within the product detail page about a current status of an order for the first product; wherein supplementing the product detail page further comprises presenting an option to the user to track shipment of the order; and wherein supplementing the product detail page further comprises presenting an option to user to cancel or modify the order. Moreover, Burton discloses further comprising supplementing the product detail page with information about an order placed by the customer for a product that is related to the first product; further comprising, when the user accesses a category page associated with a category of the products in the electronic catalog, supplementing the category page with information about an order placed by the user for a product that falls within category. Moreover, Burton discloses account-specific information to users of online store; a supplemented product detail page and represented within a computer. (See Fig. 39; Figs. 62-65; page 6, paragraph 110 - page 7, paragraph 114; page 8, paragraph 131 – page 9, paragraph 136; page 14, paragraph 198; page 28, paragraph 371; pages 29, paragraph 386- pages 30, paragraph 392)

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the



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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-5, 7-12, 27-30, 38-39 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. PG Pub. No. 2002/0055878 to Burton in view of U.S. PG Pub 2002/0099608 to Pons et al.**

Regarding to claims 1 and 27, Burton discloses a method and system of customizing an electronic catalog (paragraphs 15-17): providing online access to an electronic catalog of products (paragraphs 16-17); receiving a request from an online customer for a portion of the electronic catalog, wherein the portion corresponds to a subset of the products represented within the electronic catalog and provides functionality for selecting a product for purchase (paragraphs 133-134; paragraphs 380-387); identifying a related order previously placed by the customer (Figures 39 and 65, paragraph 241; paragraphs 389-390; paragraph 423); supplementing the portion of the electronic with information about the related order (Figure 39); and returning the portion of the electronic catalog, as supplemented with the information about the related order, for presentation to the customer, whereby information about previous orders is presented to the customer contextually during browsing of the electronic catalog (Figure 39). However, Burton does not disclose without requiring the customer to explicitly request order history information. Pons, on the other hand, teaches not requiring the customer to explicitly request order history information (paragraph 29).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Burton, to include without requiring the

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customer to explicitly request order history information, as taught by Pons, in order to automatically display the status or purchase history (Pons paragraph 29).

Regarding claims 2-5, 7-12 and 38-39 (which depend on claim 1), Burton discloses wherein supplementing the portion of the electronic catalog comprises supplementing the portion with information about a current status of the related order; wherein the portion is a product detail portion for a first product; wherein the related order is an order previously placed by the customer for the first product; wherein the related order is a previous order placed by the customer for a second product that is related to the first product; wherein the portion corresponds to a category of products; wherein identifying a related order comprises identifying an order for a product that falls within the category; wherein the portion provides an option to initiate placement of an order for a product; wherein the portion is a web page; wherein the portion is a voiceXML page that is adapted for audible output to the customer; further comprising supplementing the portion with information about at least one additional order that is related to the subset of products; a system that customizes an electronic catalog of products for individual customers; and computer program represented within a computer readable medium. (See page 6, paragraph 110 - page 7, paragraph 114; page 8, paragraph 131 – page 9, paragraph 136; pages 29, paragraph 386- pages 30, paragraph 392)

Regarding to claims 28-30 (which depend on claim 27), Burton discloses the electronic catalog system comprising an electronic catalog of products; and a server system that provides online access to the electronic catalog of products and provides

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functionality for customers to purchase products from the electronic catalog.

Furthermore, Burton discloses wherein the server system is responsive to a request from a customer for a page from the electronic catalog by supplementing the page with information about a related order placed by the customer, whereby the customers are presented with context-dependent information about related orders during browsing of the electronic catalog. Moreover, Burton discloses wherein the server system is responsive to a request by the customer for a detail page of a product; wherein the server system is responsive to a request by the customer for a detail page of a first product by supplementing the detail page with information about a prior order placed by the customer for a second product that is related to the first product; wherein the server system is responsive to a request by the customer for a category page associated with a particular product category by supplementing the category page with information about prior orders of products that fall within the product category. (See at least abstract; summary; Fig. 39; Figs. 62-65; page 6, paragraph 110 - page 7, paragraph 114; page 8, paragraph 131 – page 9, paragraph 136; pages 29, paragraph 386- pages 30, paragraph 392)

Regarding claim 45, Burton substantially discloses the claimed invention, however, it does not disclose without requiring the customer to explicitly request order history information. Pons, on the other hand, teaches not requiring the customer to explicitly request order history information (paragraph 29).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Burton, to include without requiring the

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customer to explicitly request order history information, as taught by Pons, in order to automatically display the status or purchase history (Pons paragraph 29).

**Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burton in view of U.S. PG PUB No. 2002/0133415 to Zarovinsky.** Burton disclose an electronic catalog system comprising: an electronic catalog of products, the catalog includes product detail pages that provide information about specific products and provide functionality of selecting such products for purchase; a server system that provides online access to the electronic products and provides functionality for users to purchase selected products from the electronic catalog, the server system programmed to maintain order histories; and wherein the server system is responsive to request from a user for a product detail page of the electronic catalog by determination whether the user previously placed an order that is related to the product represented within the product detail page and if the user placed such a related order, supplementing the product detail page with information about the related order for presentation to the user. (See Fig. 39; Figs. 62-65; page 6, paragraph 110 - page 7, paragraph 114; page 8, paragraph 131 – page 9, paragraph 136; page 14, paragraph 198; page 28, paragraph 371; pages 29, paragraph 386- pages 30, paragraph 392)

However, Burton does not disclose the reducing of likelihood that the user will place an unnecessary or undesirable order for the product. Zarovinsky, on the other hand, teaches the reducing of likelihood that the user will place an unnecessary or undesirable order for the product (paragraph 35).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of Burton, to include the reducing of an unnecessary or undesirable order for the product, as taught by Zarovinsky, in order to avoid duplicate orders (Zarovinky paragraph 45).

Regarding claims 49-50 (which depend on claim 45), Burton disclose wherein the information about the related order comprise an indication that the user has already purchased the product represented within the product detail page; and wherein the information about the related order further comprises a link to a page containing detailed information about the order (Figures 39 and 65; paragraphs 377-380).

**Claim 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burton and Zarovinsky as applied to claim 46 above, and further in view of Pons.** Burton and Zarovinsky substantially discloses the claimed invention, however, the combination does not disclose the without requiring the customer to explicitly request order history information. Pons, on the other hand, teaches not requiring the customer to explicitly request order history information (paragraph 29).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the combination system of Burton and Zarovinsky, to include without requiring the customer to explicitly request order history information, as taught by Pons, in order to automatically display the status or purchase history (Pons paragraph 29).

**Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burton and Pons as applied to claim 1 above, and further in view of U.S. Patent**

**No. 6,167,383 to Henson.** Burton and Pons substantially disclose the claimed invention, however, the combination does not disclose an indication of whether the product represented is incompatible with a product previously purchased by the user. Henson, on the other hand, teaches the indication of whether the product represented is incompatible with a product previously purchased by the user (col. 7, lines 57-61; col. 10, lines 26-29).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the combination of Burton and Pons, to include the indication whether the product represented is incompatible, as taught by Henson, in order to let the customer know if the products are compatible or not (col. 7, lines 64-66). In addition, it provides the correct product.

**Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burton and Zarovinsky as applied to claim 46 above, and further in view of U.S. Patent No. 6,167,383 to Henson.** Burton and Zarovinsky substantially disclose the claimed invention, however, the combination does not disclose the information about the related order comprise an indication of whether the product represented within the product detail page is compatible with a product previously purchased by the user. Henson, on the other hand, teaches the information about the related order comprise an indication of whether the product represented within the product detail page is compatible with a product previously purchased by the user (col. 7, lines 57-61; col. 10, lines 26-29).

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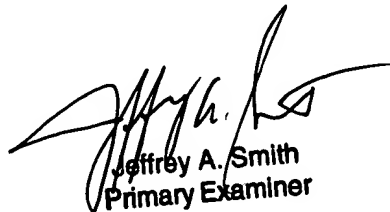
It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the combination of Burton and Zarovinsky, to include the indication whether the product represented is compatible, as taught by Henson, in order to let the customer know if the products are compatible or not (col. 7, lines 64-66). In addition, it provides the correct product.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa Thein whose telephone number is 703-305-5246. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 703-308-1344. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

mtot  
July 14, 2003



Jeffrey A. Smith  
Primary Examiner